

Minneapolis Community Development Agency

## Request for City Council Action

Date: April 4, 2003

To: Council Member Lisa Goodman, Community Development  
Council Member Barbara Johnson, Ways and Means/Budget Committee

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Approved by Lee Sheehy, MCDA Executive Director  
Chuck Lutz, MCDA Deputy Executive Director \_\_\_\_\_

Subject: Authorization to exceed \$150,000 limit for a MCDA Environmental Panel  
Consultant

**Previous Directives:** On October 31, 2001 the MCDA Executive Director approved the existing environmental consulting panel.

**Ward:** 5<sup>th</sup> Ward

**Neighborhood Group Notification:** Not Applicable

**Consistency with *Building a City That Works*:** Consistent with Goal 2,

**Comprehensive Plan Compliance:** Complies

**Zoning Code Compliance:** Complies

**Impact on MCDA Budget:** (Check those that apply)

- ☒ No financial impact
- ☐ Action requires an appropriation increase to the MCDA Budget
- ☐ Action provides increased revenue for appropriation increase
- ☐ Action requires use of contingency or reserves
- ☐ Other financial impact (Explain):

**Living Wage / Business Subsidy:** Project and contract will comply if covered.

**Job Linkage:** Not applicable.

**Affirmative Action Compliance:** Complies

**RECOMMENDATION: The Executive Director recommends:**

1. The City Council authorizes staff to approve use of the MCDA panel contract with Braun Intertec Corporation and make payments for environmental work relating to the Heritage Park and Bassett Creek Valley projects.

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| <p>2. The MCDA Board of Commissioners authorizes waiving the \$150,000 panel contract limit for Braun Intertec Corporation for environmental work at Heritage Park and Bassett Creek Valley.</p> |
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## **Background/Supporting Information**

The MCDA contracted with a consultant from its environmental panel, Braun Intertec Corporation(Braun), in 1999 to perform geotechnical & environmental tests. Those tests led to an extensive pollution remediation effort for Heritage Park Phase I Rental and Ownership, and an ongoing approach and commitment approved by the Minnesota Pollution Control Agency(MPCA), that Braun has managed and performed. It is anticipated that Braun's environmental and remediation services will continue to be needed for the remaining housing development work in Heritage Park (completion of Rental Phase II, Rental Phase III, and For-Sale Phases II – IV). In addition, those same services will be required for the construction of Van White Memorial Boulevard in Bassett Creek Valley.

The contract limit for MCDA's environmental panel consultants is \$150,000. It is being requested that Braun continue to be the City/MCDA's primary environmental consultant with Heritage Park through waiving the \$150,000 panel contract limit, both on the current two-year contract and on the next two-year contract to be awarded Fall 2003 unless Braun is not at that time successful in being again a member of the environmental panel. Braun has been an MCDA environmental panel consultant since 1984. This request is being made because Braun has worked at this site since 1999, has a detailed knowledge of its environmental conditions, and has experienced personnel overseeing remediation activities. Very importantly, Braun has laid out the Response Action Plan, Construction Contingency Plan procedures, and established a relationship with the MPCA applicable to Heritage Park's needs that expedites the necessary approvals, allowing the project to move forward without delays. The approvals from MPCA are a necessity for building the housing units and other development activities, and Braun provides the technical expertise and duties required by both the MPCA's Voluntary Investigation and Cleanup (VIC) and Voluntary Petroleum Investigation and Cleanup (VPIC) programs under demanding deadlines. Terminating Braun's work and starting over with a different firm would cause inordinate delays and higher costs. Lastly, because Braun is a full service environmental firm it saves the project both time and money as fewer resources are expended contracting with different firms for needed elements (drilling rigs, geotechnical and environmental consulting, testing and analysis, remediation, CAD services).

Funds for these ongoing services are reserved in the Heritage Park project budget. Funding sources include anticipated grants from the Department of Trade and Economic Development (DTED), the Metropolitan Council, and Hennepin County, additionally in the housing areas Tax Increment Financing, and additionally in the Bassett Creek Valley area federal transportation funds.